

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JERRY JEROME GASKINS,

Plaintiff,

V.

CASE NO. 1:09-cv-1058-TMH  
[WO]

ALABAMA DEPARTMENT OF  
CORRECTIONS, *et al.*,

Defendants.

## ORDER

The Magistrate Judge entered a Recommendation (Doc. #8) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION (Doc. #8) of the Magistrate Judge is  
ADOPTED. It is further

ORDERED that Plaintiff's claims against the Alabama Department of Corrections are DISMISSED, with prejudice, pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i), and the Alabama Department of Corrections is DISMISSED as a defendant in this cause of action. It is further

ORDERED that this case, with respect to Plaintiff's claim regarding the validity of

his incarceration in the Houston County Jail on a state detainer, is referred back to the Magistrate Judge for appropriate proceedings.

Done this 29th day of December, 2009.

/s/ Truman M. Hobbs

UNITED STATES DISTRICT JUDGE